

11/21/01  
J1051 U.S. PTO

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PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

PJZ08C1

First Inventor

ROSEN et al.

Title

Nucleic Acids, Proteins and Antibodies

Express Mail Label No.

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 476]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
5. ☒ Executed Declaration [Total Pages 5]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)
  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Copy of Application Data Sheet from prior application  
No. 09/764,863 [Total Pages 13]. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☒ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☒ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Copy of Assignment and Recordation Cover Sheet from prior application No. 09/764,863 [Total Sheets 5]
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement/ Form PTO/SB/08  
☐ Copies of Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(should be specifically itemized)
15. ☐ Certified copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No: 09/764,863  
Prior application information: Examiner Myers, C. Group/Art Unit 1655

For CONTINUATION OR DIVISIONAL APPS only The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts

## 18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

22195

or ☐ Correspondence address below

NAME

ADDRESS

CITY

STATE

ZIP CODE

COUNTRY

TELEPHONE

FAX

NAME (Print/Type)

Kenley K. Hoover

Registration No. (Attorney/Agent)

40,302

SIGNATURE

Date November 21, 2001

# FEE TRANSMITTAL

## for FY 2002

*Patent fees are subject to annual revision.*

### Complete if Known

Application Number	Not assigned
Filing Date	Herewith (November 21, 2001)
First Named Inventor	ROSEN et al.
Examiner Name	Not assigned
Group Art Unit	Not assigned
Attorney Docket Number	PJZ08C1

Total amount of payment **\$896.00**

### METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **08-3425**

Deposit Account Name **Human Genome Sciences, Inc.**

- ☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17
- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☐ Payment Enclosed:  
☐ Check ☐ Credit Card ☐ Money Order ☐ Other\*

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

**SUBTOTAL (1) \$740.00**

#### 2. EXTRA CLAIM FEES

	Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	4	-3**	1	\$84.00
Multiple Dependent				\$280.00

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
108	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) \$156.00**

\*\* or number previously paid, if greater. For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use hearing	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
145	100	145	100	Certificate of correction	
148	110	248	55	Statutory disclaimer	
561	3	561	3	Printed copy of patent, regular service	

Other fee (specify):

Other fee (specify):

\* Reduced by Basic Filing Fee Paid

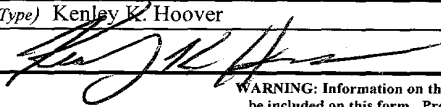
**SUBTOTAL (3) \$0.00**

### Submitted By

Name (Print/Type) **Kenley K. Hoover**

Registration No.: **40,302**

Telephone **(301) 610-5771**

Signature: 

Date: **November 21, 2001**

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

11/21/01  
11017 U.S. PRO  
09/989442

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: ROSEN et al.

Serial No.: Not assigned

Group Art Unit: Not assigned

Filed: Herewith

Examiner: Not assigned

For: Nucleic Acids, Proteins and Antibodies

Attorney Docket No.: PJZ08C1

**STATEMENT UNDER 37 C.F.R. 1.821**


Assistant Commissioner For Patents  
Washington, D.C. 20231

Sir:

Applicants hereby certify under 37 C.F.R. §§1.821(f) that the content of the sequence listing information recorded in computer-readable form submitted herewith on compact disc (CD-R) is identical to the written (on compact disc (CD-R)) sequence listing.

Respectfully submitted,

Dated: November 21, 2001

  
\_\_\_\_\_  
Kenley K. Hoover                      Reg. No. 40,302  
Attorney for Applicants

**Human Genome Sciences, Inc.**  
9410 Key West Avenue  
Rockville, Maryland 20850  
Telephone: 301-610-5771

Enclosure  
KKH/JS/rmr

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: ROSEN et al.

Application Serial No.: Unassigned

Group Art Unit: Unassigned

Filed: Herewith

Examiner: Unassigned

For: Nucleic Acids, Proteins, and Antibodies

Attorney Docket No.: PJZ08C1

**TRANSMITTAL AND SUBMISSION UNDER  
37 C.F.R. §§ 1.824 and 1.52(e)**

Commissioner For Patents  
Washington, D.C. 20231

Sir:

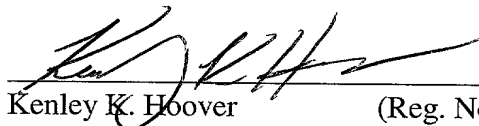
In accordance with 37 C.F.R. §§ 1.821(e) and 1.824, Applicants submit herewith a Sequence Listing satisfying the computer readable format requirements on a compact disc (CD-R) labeled "CRF." Applicants submit concurrently herewith a Statement Under 37 C.F.R. § 1.821.

Additionally, in accordance with 37 C.F.R. §§ 1.52(e), 1.821, and 1.823, Applicants submit herewith a Sequence Listing as an electronic document on two identical compact discs (CD-R). Applicants certify under 37 C.F.R. § 1.52(e)(4) that these two compact discs, labeled "Copy 1" and "Copy 2," are identical. These compact discs, formatted for an IBM-PC machine and compatible with the MS-Windows operating system, contain the following file:

Document	File Name	Size in bytes	Date of Creation
Sequence Listing	PJZ08_seqList.txt	391,861	01/15/2001

Respectfully submitted,

Date: November 21, 2001

  
Kenley K. Hoover (Reg. No. 40,302)  
Attorney for Applicants

**Human Genome Sciences, Inc.**  
9410 Key West Avenue  
Rockville, MD 20850  
Telephone: (301) 610-5771

KKH/JS/rmr  
Enclosures